

Applicant: Cornelis Antonie Maria Jaspers
Application No.: 10/519,063

REMARKS/ARGUMENTS

After the foregoing Amendment, Claims 1, 3, and 5-18 are currently pending in this application. Claims 1, 3, 5, 6 and 15-18 have been amended in the present Reply.

Claim Objections

The Examiner has objected to claims 1, 3, and 5-18 for various informalities, with claims 3 and 5-14 being objected to as being dependent from claim 1.

Claims 1, 3, 5, 6 and 15-18 have been amended and the Applicant respectfully submits that the objections are overcome. Accordingly, the withdrawal of the objection to the claims 1, 3, and 5-18 is respectfully requested.

Claim Rejections - 35 USC §112

Claims 17 and 18 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Claims 17 and 18 as amended are no longer subject to the rejection under 35 USC §112, second paragraph. Therefore, withdrawal of the rejection of claims 17 and 18 is respectfully requested.

Claim Rejections - 35 USC §101

Claim 16-18 stand rejected under 35 USC §101.

Amended claims 16 and 17 recite "a non-transitory medium" in accordance with the Examiner's suggestion. Furthermore, claim 18 is amended to no longer depend from independent claim 16. Accordingly, the Applicant respectfully requests withdrawal of the 35 USC §101 rejections to claims 16-18.

Double Patenting

The Examiner has rejected claims 1, 3, and 5-16 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1, 3, 8, and 10-15 of U.S. Patent No. 7,573,515 ('515). In addition, the Examiner notes that a terminal disclaimer purportedly exists between the '515 patent and U.S. Application Serial No. 10/519,058 ('058). Regarding the '058 application, the Applicant points out that this application is now abandoned and therefore no non-statutory obviousness-type double patenting can exist between the present application and the '058 application.

Regarding the '515 patent, claims 1 to 15 relate to the subject-matter of the luminance-reconstruction-filter and a portion of the color-reconstruction-filter. However, none of the claims of the '515 patent disclose, teach or suggest "applying the contour-reconstruction-filter by multiplying pixels of the array by

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contour reconstruction filter coefficients after weighting by the green parameter and summing the multiplied pixels into one output pixel" or "applying the contour-reconstruction-filter in parallel with application of the color-reconstruction-filter to the pixels." (Emphasis added) as is recited in Applicant's amended independent claim 1. Accordingly, it would not be obvious to a person of ordinary skill in the art to modify or adapt any claim of the '515 patent to arrive at the invention as defined in claim 1 of the present application. Any assertion to the contrary is made with the benefit of hindsight. In addition, the Applicant has amended claims 15 and 16.

The Applicant therefore respectfully requests the withdrawal of the non-statutory double patenting rejection with respect to claims 1, 3, and 5-16

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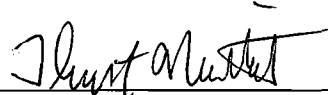
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1, 3, and 5-18, are in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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